

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

In re:	)	
	)	
EAGLE PROPERTIES AND	)	Bankruptcy Case
INVESTMENTS, LLC,	)	No. 23-10566-KHK
	)	Chapter 7
Debtor.	)	
	)	

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**ORDER APPROVING SALE OF 1010 LYNN ST., SW, VIENNA, VA FREE AND  
CLEAR OF LIENS, CLAIMS AND INTERESTS PURSUANT TO 11 U.S.C. § 363(f)**

UPON CONSIDERATION of the motion (Docket No. 414) (“Motion”) of H. Jason Gold, chapter 7 trustee (“Trustee”), to approve the sale of the property commonly known as 1010 Lynn St., SW, Vienna, VA (“Property”); and it appearing that proper and adequate notice of the Motion has been given and that no further notice is necessary; and it appearing that the sale of the Property as set forth in the Motion is in the best interest of the estate and its creditors, and it further appearing that based upon the endorsements of counsel set forth below that Shore United Bank, Gus Goldsmith and Bala Jain, LLC have consented to the sale of the Property as set forth herein, free and clear of all liens claims and interests, accordingly:

**IT IS HEREBY ORDERED THAT:**

1. The Motion is GRANTED.
2. The Trustee is authorized to sell the Property<sup>1</sup> to Ronald Navarro (the “Purchaser”)

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<sup>1</sup> Having the following legal description:

for \$875,000.00 consistent with the sales contract attached to the Motion as Exhibit A.

3. The Trustee is authorized to pay the secured claim of Shore United Bank, N.A. in full at closing as set forth in the draft ALTA attached hereto as Exhibit A (“ALTA”).

4. The Trustee is authorized to pay the secured claim of Gus Goldsmith in the amount of \$175,000.00 consistent with the ALTA. Gus Goldsmith’s consent to this sale and release of liens is conditioned upon receipt of total proceeds of \$338,647.88 from the sale of the Property and the sale of the property located at 449 Lawyers Road, SW, Vienna, Virginia with such sales closing contemporaneously.

5. At closing, the Trustee shall receive, for the benefit of the estate the sum of \$26,250.00 representing his commission under Section 326 of the Bankruptcy Code plus \$43,750.00 as additional consideration for the bankruptcy estate free and clear of all liens, claims and interests.

6. The Trustee is authorized to pay a three percent (3%) commission to his broker Century 21 New Millennium at closing for services rendered in representing the Trustee in connection with the sale.

7. The Trustee is authorized to pay a two-and-a-half percent (2.5%) commission to Proplocate Realty LLC at closing for services rendered in representing the Purchaser in connection with the sale.

8. The Trustee is authorized to pay all outstanding real estate taxes and other customary closing costs consistent with the ALTA.

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All of Lot Two Thousand, Fifty-Five (2055), Section Ten (10), Vienna Woods, as the same appears duly dedicated, platted and recorded in Deed Book 1741 at Page 322 of the land records of Fairfax County, Virginia.

Less and Except that portion of said lot conveyed to the Town of Vienna in Deed Book 1801 at Page 594 of the aforesaid county land records.

9. The Trustee is authorized to pay Bala Jain, LLC the remaining net proceeds of sale after all costs, consistent with the ALTA.

10. The Trustee is authorized to reimburse Auction Markets, LLC at closing in an amount not to exceed \$1,000.00 for any utility and property preservation expenses as needed.

11. The Trustee is authorized to request and receive all information concerning the liens and debt held by any secured creditor necessary to close on the sale including but not limited to the loan payoff balance, proof of lien perfection, hazard insurance coverage, escrow account balance and other information. Secured creditors are authorized and directed to promptly provide said information to the Trustee upon request of the Trustee, subject to the right of any secured creditor to oppose the request.

12. This Order may be recorded in the land records wherein the subject Property is located.

13. This Court retains jurisdiction with respect to any disputes regarding the Property following the sale.

14. This Order shall be effective immediately and shall not be subject to the stay provided in Federal Rule of Bankruptcy Procedure 6004(h) or any other applicable stay.

Dated: May 22 2024

/s/ Klinette H Kindred  
United States Bankruptcy Judge

Entered On Docket: May 23 2024

PREPARED BY:

NELSON MULLINS RILEY & SCARBOROUGH LLP  
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Washington, DC 20001  
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By: /s/ Dylan G. Trache  
Dylan G. Trache, Va. Bar No. 45939

*Counsel to the Chapter 7 Trustee*

SEEN AND AGREED:

WOMBLE BOND DICKINSON (US) LLP  
100 Light Street, 26th Floor  
Baltimore, MD 21202  
Telephone: (410) 545-5800  
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By: /s/ Lisa Bittle Tancredi (by DGT with authority)  
Lisa Bittle Tancredi, Esq. (admitted pro hac vice)  
Robert L. Hockenbury, Esq. (VA Bar 97675)

*Counsel to Shore United Bank, N.A.*

AND

ROGAN MILLER ZIMMERMAN, PLLC  
50 Catocin Circle, NE, Suite 300  
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BY: /s/Christopher L. Rogan (by DGT with authority)  
Christopher L. Rogan (Bar No. 30344)

*Attorneys for Bala Jain, LLC*

AND

MCNAMEE, HOSEA, P.A  
6404 Ivy Lane, Suite 820  
Greenbelt, MD 20770  
Phone No.: (301) 441-2420  
E-mail: jfasano@mhlawyers.com

BY: /s/ Justin P. Fasano (by DGT with authority)  
Justin P. Fasano (Bar No. 75983)

*Attorneys for Gus Goldsmith*

**CERTIFICATION PURSUANT TO LOCAL RULE 9022-1(C)**

I HEREBY CERTIFY that this Order has been endorsed by all necessary parties.

/s/ Dylan G. Trache  
Dylan G. Trache

**LIST OF PARTIES TO RECEIVE NOTICE OF ENTRY**  
**PURSUANT TO LOCAL RULE 9022-1**

Dylan G. Trache  
NELSON MULLINS RILEY & SCARBOROUGH LLP  
101 Constitution Avenue, NW, Suite 900  
Washington, DC 20001

Michael Freeman  
OFFICE OF THE UNITED STATES TRUSTEE  
1725 Duke Street, Suite 650  
Alexandria, Virginia 22314

Stephen Karbelk  
Team Leader, RealMarkets  
Century 21 New Millennium  
Century 21 Commercial New Millennium  
6629 Old Dominion Drive  
McLean, VA 22101

Lisa Bittle Tancredi  
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100 Light Street, 26th Floor  
Baltimore, MD 21202

Justin Fasano  
MCNAMEE, HOSEA, P.A  
6404 Ivy Lane, Suite 820  
Greenbelt, MD 20770

Christopher Rogan  
ROGAN MILLER ZIMMERMAN, PLLC  
50 Catoctin Circle, NE, Suite 300  
Leesburg, Virginia 20176

## **Exhibit A**

1. <input type="checkbox"/> FHA	2. <input type="checkbox"/> RHS	3. <input type="checkbox"/> Conv. Unins.	4. <input type="checkbox"/> Case 23-10566-KHK	5. <input type="checkbox"/> VA	6. File No. 2024-041801	7. Loan No.	8. Mortgage Insurance Case No.
Doc 472 Filed 05/23/24 Entered 05/23/24 13:29:20 Desc Main Document Page 8 of 10							
<b>C. Note:</b> This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.							
D. Name & Address of Borrower: <b>Ronald Navarro</b>				E. Name & Address of Seller: <b>H. Jason Gold, Chapter 7 Bankruptcy Trustee of The Bankruptcy Estate of Eagle Properties and Investments LLC Case No. 23-10566-KHK P.O. Box 57359 Washington, DC 20037</b>			F. Name & Address of Lender: <b>Founders Bank 5101 Wisconsin Avenue NW Suite 400 Washington, DC 20016</b>
G. Property Location: <b>1010 Lynn Street Southwest Vienna, VA 22180</b>				H. Settlement Agent: <b>RL Title and Escrow, Inc.</b>			I. Settlement Date: <b>05/30/2024</b> Funding Date: <b>05/30/2024</b> Disbursement Date: <b>05/30/2024</b>
				Place of Settlement: <b>8229 Boone Boulevard Suite 610 Vienna, VA 22182</b>			

J. Summary of Borrower's Transaction

100. Gross Amount Due from Borrower	
101. Contract sales price	\$875,000.00
102. Personal property	
103. Settlement charges to borrower (line 1400)	\$10,811.34
104.	
105.	
Adjustment for items paid by seller in advance	
106. City/Town Taxes 05/30/2024 to 06/30/2024	\$145.29
107. County Taxes 05/30/2024 to 06/30/2024	\$848.13
108. Assessments	
109.	
110.	
111.	
112.	
120. Gross Amount Due from Borrower	\$886,804.76
200. Amount Paid by or in Behalf of Borrower	
201. Deposit	\$10,000.00
202. Principal amount of new loan(s)	\$656,250.00
203. Existing loan(s) taken subject to	
204.	
205.	
206.	
207.	
208. Seller Closing Cost Credit	\$1,000.00
209.	
Adjustments for items unpaid by seller	
210. City/Town Taxes	
211. County Taxes	
212. Assessments	
213.	
214.	
215.	
216.	
217.	
218.	
219.	
220. Total Paid by/for Borrower	\$667,250.00
300. Cash at Settlement from/to Borrower	
301. Gross amount due from borrower (line 120)	\$886,804.76
302. Less amounts paid by/for borrower (line 220)	\$667,250.00
303. Cash <input checked="" type="checkbox"/> From <input type="checkbox"/> To Borrower	\$219,554.76

K. Summary of Seller's Transaction

400. Gross Amount Due to Seller	
401. Contract sales price	\$875,000.00
402. Personal property	
403.	
404.	
405.	
Adjustment for items paid by seller in advance	
406. City/Town Taxes 05/30/2024 to 06/30/2024	\$145.29
407. County Taxes 05/30/2024 to 06/30/2024	\$848.13
408. Assessments	
409.	
410.	
411.	
412.	
420. Gross Amount Due to Seller	\$875,993.42
500. Reductions in Amount Due to Seller	
501. Excess deposit (see instructions)	
502. Settlement charges to seller (line 1400)	\$138,538.52
503. Existing loan(s) taken subject to	
504. Payoff to Shore United Bank	\$542,109.91
505. Payoff to Gus Goldsmith-Goldsmith Equity Group-BG Real Estate-C Store	\$175,000.00
506. Payoff Bala Jain	\$19,344.99
507.	
508. Seller Closing Cost Credit	\$1,000.00
509.	
Adjustments for items unpaid by seller	
510. City/Town Taxes	
511. County Taxes	
512. Assessments	
513.	
514.	
515.	
516.	
517.	
518.	
519.	
520. Total Reduction Amount Due Seller	\$875,993.42
600. Cash at Settlement to/from Seller	
601. Gross amount due to seller (line 420)	\$875,993.42
602. Less reductions in amounts due seller (line 520)	\$875,993.42
603. Cash <input checked="" type="checkbox"/> To <input type="checkbox"/> From Seller	

The Public Reporting Burden for this collection of information is estimated at 35 minutes per response for collecting, reviewing, and reporting the data. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. No confidentiality is assured; this disclosure is mandatory. This is designed to provide the parties to a RESPA covered transaction with information during the settlement process.



704.			
800. Items Payable in Connection with Loan			
801. Our origination charge	(from GFE #1)		
802. Your credit or charge (points) for the specific interest rate chosen	(from GFE #2)		
803. Your adjusted origination charges	(from GFE #A)		
804. Appraisal fee	(from GFE #3)		
805. Credit report	(from GFE #3)		
806. Tax service	(from GFE #3)		
807. Flood certification	(from GFE #3)		
808.			
809.			
810.			
811.			
900. Items Required by Lender to be Paid in Advance			
901. Daily interest charges from 05/30/2024 to 06/01/2024	(from GFE #10)		
902. Mortgage insurance premium	(from GFE #3)		
903. Homeowner's insurance	(from GFE #11)		
904. 1st half 2024 Real Estate Taxes to Department of Tax Administration			\$4,924.60
905. 1st half 2024 Real Estate Taxes to Town of Vienna			\$843.60
1000. Reserves Deposited with Lender			
1001. Initial deposit for your escrow account	(from GFE #9)		
1002. Homeowner's insurance			
1003. Mortgage insurance			
1004. Property taxes			
1005.			
1006.			
1007. Aggregate Adjustment \$0.00			
1100. Title Charges			
1101. Title services and lender's title insurance	(from GFE #4)	\$1,851.80	
1102. Settlement or closing fee to RL Title and Escrow, Inc.			
1103. Owner's title insurance to Fidelity National Title Insurance Company	(from GFE #5)	\$2,368.20	
1104. Lender's title insurance to Fidelity National Title Insurance Company \$1,851.80			
1105. Lender's title policy limit \$656,250.00			
1106. Owner's title policy limit \$875,000.00			
1107. Agent's portion of the total title insurance premium to RL Title and Escrow, Inc. \$0.00			
1108. Underwriter's portion of the total title insurance premium to Fidelity National Title Insurance Company \$0.00			
1109. Settlement and Closing Fee to RL Title and Escrow, Inc.		\$895.00	\$150.00
1110. Title Binder and Policy to RL Title and Escrow, Inc.		\$225.00	
1111. Title Search to Round Table Title, Inc.		\$110.00	
1112. Attorney Title Examination Fee to RL Title and Escrow, Inc.		\$150.00	
1200. Government Recording and Transfer Charges			
1201. Government recording charges	(from GFE #7)	\$107.00	
1202. Deed \$47.00 Mortgage \$60.00 Release \$ to Fairfax County Recording Office			
1203. Transfer taxes	(from GFE #8)	\$5,104.34	
1204. City/County tax/stamps Deed \$729.17 Mortgage \$546.92 to Fairfax County Recording Office			
1205. State tax/stamps Deed \$2,187.50 Mortgage \$1,640.75 to Fairfax County Recording Office			
1206. Regional WMTA Fee (Deed) to Fairfax County Recording Office			\$875.00
1207. Regional Congestion Relief Fee (Deed) to Fairfax County Recording Office			\$875.00
1208. County Grantor Tax (Deed) to Fairfax County Recording Office			\$437.50
1209. State Grantor Tax (Deed) to Fairfax County Recording Office			\$437.50
1300. Additional Settlement Charges			
1301. Required services that you can shop for	(from GFE #6)		
1302. Town of Vienna Delinquent Taxes to Town of Vienna			\$353.34
1303. 2023 Fairfax County Delinquent Real Estate Taxes to Department of Tax Administration			\$10,516.98
1304. 326(a) Trustee Commission to H. Jason Gold, Trustee			\$26,250.00
1305. Bankruptcy Estate Payment to H. Jason Gold, Trustee			\$43,750.00
1306. Expense Reimbursement to RealMarkets			\$1,000.00
1307.			
1308.			
1309.			
1310.			
1400. Total Settlement Charges (enter on lines 103, Section J and 502, Section K)		\$10,811.34	\$138,538.52

See signature addendum

The HUD-1 settlement statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause the funds to be disbursed in accordance with this statement

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Settlement Agent

Date